



IT IS ORDERED as set forth below:

Date: May 3, 2019

A handwritten signature in blue ink that reads "Sage M. Sigler".

Sage M. Sigler
U.S. Bankruptcy Court Judge

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF GEORGIA
ATLANTA DIVISION**

IN RE:)	CHAPTER 7
)	
AMERICAN UNDERWRITING)	Case No. 18-58406-SMS
SERVICES, LLC,)	
)	
Debtor.)	

**CONSENT ORDER AUTHORIZING REALLOCATION OF FUNDS TO
BE DISBURSED WITHOUT ALTERING THE TOTAL AMOUNT TO BE
DISBURSED BY THE ESTATE**

This matter came before the Court upon the *Motion for Entry of Consent Order Authorizing Limited Reallocation of Funds to be Disbursed Pursuant to an Order Entered by this Court on December 20, 2018 [Docket. No. 190]* filed on April 10, 2019 (the “Consent Motion”) that was filed by S. Gregory Hays, Chapter 7 Trustee (the “Trustee”) for the bankruptcy estate (the “Estate”) of American Underwriting Services, LLC, Debtor (the “Debtor”) in the above

captioned case (the “Bankruptcy Case”) upon the request of Tyser & Co. Ltd (now known as Integro Group) (“Tysers”), Certain Underwriters at Lloyd’s and International Insurance Company of Hannover SE UK Branch (collectively, “White Oak/Faraday”), and Brit UW Limited (“Brit”) (collectively, the “Parties”), creditors and parties in interest, to modify the allocation of Premiums (as defined below) to be disbursed pursuant to an Order entered by this Court on December 20, 2018 [Docket. No. 168] (the “Disbursement Order”) without altering the total amount of funds to be disbursed by the Estate. Upon the Trustee and the Parties having consented to the entry of this Order as evidenced by the signatures of their counsel of record, this Court having, after due deliberation and consideration of the Consent Motion and the record in this Bankruptcy Case, determined that no further notice or opportunity for hearing is required, and that granting the relief contained herein is in the best interests of the Debtor, the estate, and other parties in interest in the Bankruptcy Case, it is hereby FOUND and DETERMINED that:

1. White Oak/Faraday, Brit and Tysers are designated recipients of certain premiums in the total amount of \$150,865.12 (the “Premiums”) that were collected by the Trustee.

2. The Premiums were the subject of a certain Motion for Authority to Pay Insurance Premiums and to Return Funds Erroneously Paid to the Trustee [Docket No. 154] (the “Disbursement Motion”). Exhibit A to the Disbursement Motion identifies the Premiums held by the Trustee that were due and payable to carriers listed on the Exhibit, including to “Tyser & Co.” and “Brit-Tyser.” According to the Disbursement Motion, “Tyser & Co.” was to receive \$111,196.01 and “Brit-Tyser” was to receive the remaining \$39,669.11 of the Premiums.

3. The Court granted the Disbursement Motion pursuant to the Disbursement Order in which the Court directed the Trustee to pay the Premiums to the parties identified on Exhibit A to the Disbursement Motion. In accordance with a joint request of White Oak/Faraday and Brit to

the Trustee, the Premiums have not yet been distributed to White Oak/Faraday or Brit in accordance with the Disbursement Order.

4. Tysers has no interest in the Premiums having acted as an agent of White Oak/Faraday and Brit with respect to their respective insurance policies and programs.

5. Subsequent to the entry of the Disbursement Order, the Parties: a) reviewed the information provided by the Trustee underlying the Disbursement Motion; b) identified a discrepancy with respect to the allocation of Premiums designated to be distributed to the Parties; and c) informed the Trustee of the proper re-allocation of the Premiums held by the Trustee to be paid to the Parties on account of their respective policies. The Parties determined that White Oak/Faraday should receive \$123,394.58 and that Brit UW, Limited should receive \$27,470.54 of the Premiums in the total amount of \$150,865.12.

6. To evidence the reallocation of the Premiums, White Oak/Faraday and Brit provided the Trustee with a spreadsheet identifying the policies for which premiums were received on account of their policies and the total premium amounts due to each of them.

7. No other party has asserted an entitlement to the Premiums held by the Trustee.

8. The Trustee supports the reallocation of Premiums in accordance with this Order and is satisfied that good cause exists for the modification of the Disbursement Order to alter the allocation of Premiums to be disbursed pursuant to the Disbursement Order without altering the total amount to be disbursed by the Estate pursuant to the Disbursement Order.

Now therefore, based upon consent of the parties, it is hereby ORDERED that

1. The Disbursement Order is modified to alter the allocation of funds to be disbursed pursuant to the Disbursement Order without altering the total amount to be disbursed by the Estate pursuant to the Disbursement Order such that the Trustee is now directed to disburse the balance of the Premiums that are the subject of the Disbursement Order by paying the amount of \$123,394.58 to White Oak/Faraday and the amount of \$27,470.34 to Brit;
2. The Trustee is authorized to take all actions necessary to effectuate the relief granted pursuant to this Order; and
3. The Court shall retain jurisdiction with respect to all matters arising from or related to the implementation or interpretation of this Order.

*****END OF ORDER*****

Prepared, Agreed to and Consented to by:

/s/ Jonathan E. Aberman
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CONSENT SIGNATURES CONTINUED

CONSENT SIGNATURES CONTINUED FROM PRIOR PAGE

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By: **/s/ Lindsay P.S. Kolba** (with express permission)

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